Implementation of EPS in ONGC

121. SHRI KARNENDU BHATTACHARJEE: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether ONGC has been exempted by Labour Ministry of Employees Pension Scheme 1995;

(b) whether it is a fact that the Petroleum Ministry received two letters No. R-15014p-06-97-ss.II dated 1st July, 1999 and 27th August, 1999 from Ministry of Labour on exemption of "EPS 1995" and what are the major deficiencies pointed out by Ministry of Labour in their letter;

(c) Whether EPS-1995 under Act No. 25 of 1996 is statutory obligation of ONGC; and

(d) Whether Ministry will direct ONGC for implementation of EPS-1995, if not, reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI E. PONNUSWAMY): (a) to (d) Oil and Natural Gas Corporation Ltd. (ONGC)'s request for exemption from the Employees Pension Scheme-1995 (EPS) has not been agreed by the Ministry of Labour because of the following deficiencies:—

(i) the ONGC's scheme covers only regular employees and does not include temporary, casual and contract labour;

(ii) Superannuation age and pensionary entitlement age under the ONGC'S scheme are indicated as 60 years as against 58 years under the EPS.

(iii) There is no provision in ONGC'S scheme for retaining the membership for future pension/family pension benefits upon exit from service and no provisions for payment of pension to children, orphan or nominee exists, as has been provided under the EPS 1995.

(iv) Contribution for pension in ONGC'S scheme is entirely recovered from the member and the shortfall, if any, shall also be

payable by the members. This is contrary to the EPS which does not require any contribution to be recovered from the employees; and

(v) There is no consent of ONGC Employees Association for exemption from the EPS.

Since the EPS is of compulsory and statutory nature, ONGC was advised to settle the issue in consultation with the Ministry of Labour. However, ONGC has reported that consequent on turning down of their request by Ministry of Labour the Association of Scientific & Technical Officers (ASTO) and all Recognised Unions of ONGC jointly filed a Writ Petition No. 486 of 1999 before the Hon'ble Supreme Court of India and the matter is *sub-judice.* No further directions can be issued in the matter, therefore.

Stoppage of Construction of Bina Oil Refinery

122. SHRI RAGHAVJI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the reasons for which the construction work of proposed oil refinery at Bina in Madhya Pradesh had stopped;

(b) whether the said obstacles have since been removed, if not, by when these are likely to be removed; and

(c) by when the construction work of the above oil refinery is going to be recommended and by when this refinery will start production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI E. PONNUSWAMY): (a) Construction work of the proposed refinery at Bina (Madhya Pradesh) was held up due to non-receipt of clearance for the crude import facilities at Vadinar (Gujarat) under Wild Life protection Act (WLPA) from Government of Gujarat and subsequent environment clearance from Ministry of Environment and Forests (MOE&F).

(b) While the clearance under WLPA has been received from the